

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

BRIAN EUGENE LEPLEY,

Petitioner,

vs.

DWIGHT NEVEN, et al.,

Respondents.

Case No. 2:14-cv-01575-JAD-GWF

**ORDER**  
[##7, 10, 11]

Petitioner has filed an amended petition (#8). The court has reviewed it pursuant to Rule 4 of the Rules Governing Section 2254 Cases in the United States District Courts. The court will direct respondents to file a response.

Petitioner has filed a motion for a file stamped copy of the amended petition (#7). Good cause appearing, the court grants this motion.

Petitioner's motion to move the court to answer his request for a file stamped copy of the petition (#10) and his motion to compel respondents to answer (#11) are mooted by this order.

IT IS THEREFORE ORDERED that respondents must answer or otherwise respond to the amended petition (#8) by July 13, 2015. Respondents must raise all potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and procedural default. Successive motions to dismiss will not be entertained. If respondents file and serve an answer, then they must comply with Rule 5 of the Rules Governing Section 2254 Cases in the United States District Courts, and then petitioner will have 45 days from the date on which the answer is served to file a reply.

IT IS FURTHER ORDERED that any exhibits filed by the parties shall be filed with a separate index of exhibits identifying the exhibits by number or letter. The CM/ECF attachments that are filed further shall be identified by the number or numbers (or letter or letters) of the exhibits in the attachment. The hard copy of any additional state court record exhibits shall be forwarded—for this case—to the staff attorneys in Las Vegas.

IT IS FURTHER ORDERED that, from this point forward, petitioner must serve upon

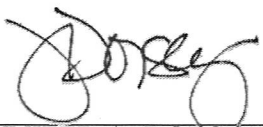
1 respondents or, if appearance has been entered by counsel, upon the attorney(s), a copy of every  
2 pleading, motion or other document submitted for consideration by the court. Petitioner must  
3 include with the original paper submitted for filing a certificate stating the date that a true and  
4 correct copy of the document was mailed to the respondents or counsel for the respondents. The  
5 court may disregard any paper received by a district judge or magistrate judge that has not been filed  
6 with the clerk, and any paper received by a district judge, magistrate judge, or the clerk that fails to  
7 include a certificate of service.

8 IT IS FURTHER ORDERED that petitioners' motion for a file stamped copy of the  
9 amended petition (#7) **is GRANTED**. The clerk of the court shall send to petitioner a copy of  
10 the amended petition (#8).

11 IT IS FURTHER ORDERED that petitioner's motion to move the court to answer his  
12 request for a file stamped copy of the petition (#10) **is DENIED** as moot.

13 IT IS FURTHER ORDERED that petitioners' motion to compel respondents to answer (#11)  
14 **is DENIED** as moot.

15 DATED: May 27, 2015

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19 JENNIFER A. DORSEY  
20 United States District Judge  
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